

RETURN

(119)

TO AN ADDRESS of the House of Commons, dated January 10, 1912, for a copy of all Orders or Minutes of Council relating to the appointment of Commissioners under the treaty with the United States relating to boundary waters, and questions arising along the boundary between Canada and the United States, signed at Washington, January 11, 1909; together with a copy of all despatches, letters and telegrams between the Governor General, or the Government of Canada, or any member thereof, and the British Ambassador at Washington or the British Government, or any member thereof, upon that subject; and also of all letters and telegrams between any member or department of the Government and Sir George Gibbons, Mr. Aimé Geoffrion and Mr. Alexander Barnhill, or either of them, relating to their appointment as such commissioners.

W. J. ROCHE,

Secretary of State.

From the President of the Erie and Ontario Sanitary Canal Company to the Governor General.

730 ELLICOTT SQUARE, July 31, 1911.

The Governor in Council,
Ottawa, Canada.

MY DEAR SIR,—Under the Canadian-American Waterways Treaty, you have appointed three men to act with three from our side as the International Joint Commission; the announcement I have seen does not give the individual names of the commissioners.

Will you please give me their names, and tell me whether the Canadian section will be ready soon to take up the application we have made to the American section, for water for the purposes mentioned in the enclosed circular?

I wish to file with the Canadian section a formal application like the one already filed with the American section; and as this is a matter affecting public health, it is our desire to make our proofs before the full Commission as soon as possible.

Yours very truly,

ERIE & ONTARIO SANITARY CANAL CO.

By MILLARD F. BOWEN,

President.

2 GEORGE V., A. 1912

From the Under-Secretary of State for External Affairs to the President of the Erie and Ontario Sanitary Canal Company.

OTTAWA, CANADA, August 4, 1911.

SIR,—I have it in command from His Excellency the Governor General to acknowledge the receipt of your letter of the 31st ultimo, and in reply to inform you that the appointment of the Canadian members of the International Boundary Waterways Commission has not yet been made.

I have, &c.,

JOSEPH POPE,

Under-Secretary of State for External Affairs.

MILLARD F. BOWEN, Esq.,

President, The Erie and Ontario Sanitary Canal Company,
730 Ellicott Square,
Buffalo, N.Y., U.S.A.

CERTIFIED copy of a Report of the Committee of the Privy Council, approved by His Excellency the Governor General on August 11, 1911.

The Committee of the Privy Council, on the recommendation of the Minister of Public Works, advise that Sir George Gibbons, of the city of London, Province of Ontario; Alexander P. Barnhill, of the city of St. John, Province of New Brunswick, and Aimé Geoffrion, of the city of Montreal, be appointed by His Majesty Commissioners on the part of the United Kingdom pursuant to section 7 of the treaty relating to boundary waters and questions arising along the boundary between Canada and the United States, signed at Washington on January 11, 1909, and that each of the said Commissioners shall receive as compensation for his services the sum of seven thousand five hundred dollars per annum.

The Committee further advise that Your Excellency may be pleased to request the Right Honourable the Principal Secretary of State for the Colonies to advise His Majesty's Government that the said three persons are recommended for appointment as such Commissioners by Your Excellency in Council pursuant to the terms of said Article 7.

All which is respectfully submitted for approval.

F. K. BENNETTS,

Assistant Clerk of the Privy Council.

From the Governor General to the Secretary of State for the Colonies and to His Majesty's Ambassador at Washington.

(Telegram.)

OTTAWA, August 14, 1911.

Following have been appointed Commissioners under section 7 Boundary Waters Treaty: Sir George Gibbons, of London, Ontario, Alexander P. Barnhill, of St. John, New Brunswick, Aimé Geoffrion, of Montreal Que. Despatch follows. (Copy sent to His Majesty's Ambassador at Washington.*)

GREY.

* Omitted from telegram to His Majesty's Ambassador at Washington.

SESSIONAL PAPER No. 119

From the Governor General to His Majesty's Ambassador at Washington.

POINT AU PIC,,

PROVINCE OF QUEBEC,

August 16, 1911.

(80)

SIR,—With reference to my telegram of the 14th instant, I have the honour to transmit, herewith, for Your Excellency's information, copies of an approved minute of His Majesty's Privy Council for Canada appointing Sir George 11th August, 1911. Gibbons, Mr. Alexander P. Barnhill and Mr. Aimé Geoffrion, Commissioners on the part of the United Kingdom, under section 7 of the treaty relating to boundary waters.

I have also sent copies of this minute to Mr. Harcourt for the information of His Majesty's government.

I have, &c.,

GREY.

His Excellency

The Right Honourable

JAMES BRYCE, P.C., &c., &c., &c.

From the Governor General to the Secretary of State for the Colonies.

(456)

POINT AU PIC,

PROVINCE OF QUEBEC,

August 17, 1911.

SIR,—With reference to my telegram of the 14th instant, I have the honour to transmit, herewith, for your information, copies of an approved 11th August, 1911. minute of His Majesty's Privy Council for Canada appointing Sir George Gibbons, Mr. Alexander P. Barnhill and Mr. Aimé Geoffrion Commissioners on the part of the United Kingdom, under section 7 of the treaty relating to boundary waters.

I have also sent copies of this minute to His Majesty's Ambassador at Washington, for his information.

I have, &c.,

GREY.

The Right Honourable

LEWIS V. HARCOURT, M.P.,

Secretary of State for the Colonies.

From His Majesty's Ambassador at Washington to the Governor General

(111)

BRITISH EMBASSY,

SEAL HARBOUR, MAINE,

August 26, 1911.

MY LORD,—I had the honour to communicate to the Secretary of State the names of the gentlemen appointed by the Canadian Government as Commissioners in accordance with the provisions of Article VII of the Boundaries Water Treaty of January 11, 1909.

2 GEORGE V., A. 1912

The Acting Secretary of State in acknowledging this communication inquires when it will be convenient for the Canadian Commissioners to meet the Commissioners of the United States.

From communications received from time to time in Washington I know that the United States Government are desirous that the meeting should take place as soon as convenient, as there are several questions of importance to be submitted to the Commission as soon as possible.

I have the honour to be, my Lord,

Your Excellency's most obedient, humble servant,

(Sgd.) JAMES BRYCE.

His Excellency, the Right Honourable,

The EARL GREY, G.C.M.G., &c., &c., &c.

From the Acting Under-Secretary of State for External Affairs to the Deputy Minister of Public Works.

OTTAWA, September 5, 1911.

SIR,—I have the honour to enclose copy of a despatch to His Excellency from His Majesty's Ambassador at Washington, in regard to the date of meeting of the International Joint Commission under the Boundary Waters Treaty.

It would seem that Mr. Bryce has overlooked the fact that the Order in Council of the 11th August was only a recommendation by the Canadian Government of appointments which will be formally made by His Majesty the King as provided in Article 7 of the Treaty.

I have, &c.,

W. H. WALKER,

*Acting Under-Secretary of State
for External Affairs.*

The Deputy Minister of Public Works,
Ottawa.

From the Acting Under-Secretary of State for External Affairs to the Governor General's Secretary.

OTTAWA, September 5, 1911.

Sir,—I am desired by the Secretary of State for external Affairs to acknowledge the receipt of your reference of a despatch to His Excellency from His Majesty's Ambassador at Washington, dated the 26th August, in regard to the meeting of the International Joint Commission under the Boundary Waters Treaty.

Might I venture to inquire if the Ambassador is not under a misapprehension in speaking of the Canadian Commissioners as already appointed? The Order in Council of the 11th August merely recommended appointments which, under the provisions of Article 7 of the treaty, will be made by His Majesty the King and so far as I know no intimation has been received that the appointments have been made.

I have, &c.,

W. H. WALKER,

*Acting Under-Secretary of State
for External Affairs.*

The Governor General's Secretary,
Ottawa.

SESSIONAL PAPER No. 119

From the Deputy Minister of Public Works to the Acting Under-Secretary of State for External Affairs.

OTTAWA, September 5, 1911.

SIR,—I have the honour to acknowledge receipt of your favour of the 5th instant, inclosing copy of despatch from His Majesty's Ambassador at Washington in regard to the date of meeting of the International Joint Commission to the Boundary Waters Treaty. I note your surmise in the second paragraph of your letter, but assume that there is nothing that I can do in the matter. I presume the attention of Mr. Bryce has been called to the necessity of His Majesty the King formally ratifying the appointment of these commissioners.

Yours very truly,

J. B. HUNTER,

Deputy Minister.

The UNDER SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
Ottawa.

From the Governor General to the Secretary of State for the Colonies.

(Telegram.)

OTTAWA, September 6, 1911.

Referring to my telegram of 14th of August and despatch No. 456 of 17th August, British Ambassador at Washington informs me that State Department has asked when it will be convenient for Boundary Waters Commission to meet. Several important questions should be submitted to Commission as soon as possible. Under article 7 our commissioners have to be appointed by His Majesty on recommendation of Governor General in Council. Can you inform me whether appointments have yet been formally made?

GREY.

From the Under-Secretary of State for External Affairs to the Deputy Minister of Public Works.

OTTAWA, September 9, 1911.

DEAR SIR,—In reply to your letter of the 5th instant, Mr. Bryce's attention has been called to the fact that the Commissioners' appointment, under article 7 of the Boundary Waters Treaty, must be made by His Majesty the King. I should be glad, however, to learn from you when it will be convenient for the Canadian Commissioners to meet the Commissioners of the United States.

Yours very truly,

JOSEPH POPE,

Under-Secretary of State for External Affairs.

J. B. HUNTER, Esq.,
Deputy Minister of Public Works,
Ottawa.

2 GEORGE V., A. 1912

From Sir George Gibbons to the Under-Secretary of State for External Affairs.

LONDON, ONT., September 13, 1911.

JOSEPH POPE, Esq., C.M.G.,
Under-Secretary of State,
Ottawa, Ont.

DEAR MR. POPE,—I have a note from the Deputy Minister asking when our new commission will be ready to meet. I have been waiting confirmation of our appointment by the Home Authorities. The first meeting of the commission has to be in Washington. My idea was, as one member of the new commission is in St. John, N.B., that it was hardly worth while calling the Canadian section together until we met for the purpose of proceeding to Washington when we can organize our section. Just as soon as you are in a position to tell us to go ahead, I have no doubt that we can arrange for a meeting on a few days' notice.

Yours truly,

GEO. C. GIBBONS.

From the Under-Secretary of State for External Affairs to Sir George Gibbons.

OTTAWA, September 14, 1911.

DEAR SIR GEORGE GIBBONS,—In reply to yours of the 13th instant, I beg to say that on the 6th instant His Excellency the Governor General cabled the Secretary of State for the Colonies inquiring whether the appointment of the Boundary Waters Commissioners has yet been formally made by His Majesty. We have received no reply so far. As soon as one comes I will let you know its import.

Yours very truly,

JOSEPH POPE.

Sir GEORGE GIBBONS, Kt.,
London, Ontario.

From the Deputy Minister of Public Works to the Under-Secretary of State for External Affairs.

OTTAWA, September 18, 1911.

DEAR SIR,—Referring to your letter of the 9th instant, I beg to say that I have written Sir George Gibbons in regard to arranging for a meeting of the Boundary Waters Commission, and he replies that there would not be much object in having a meeting of the Canadian section for the mere purpose of organization, and that his idea is that just as soon as the commission is issued, arrangements would be made for a meeting of the Canadian section immediately prior to the meeting of the Commission as a whole, which will have to be held in Washington. The Canadian section, Sir George states, will be ready to meet the American section just as soon as authorized to do so.

Please let me know your opinion as to whether the Canadian section of the Commission should wait for the official appointment before meeting the American section.

Yours very truly,

J. B. HUNTER,

Deputy Minister.

JOSEPH POPE, Esq.,
Under-Secretary of State for External Affairs,
Ottawa.

SESSIONAL PAPER No. 119

From the Secretary of State for the Colonies to the Governor General.

(Telegram.)

LONDON, September 21, 1911.

Your telegram of 6th September. Names of Commissioners are being submitted to His Majesty and Ambassador has been authorized to proceed informally with arrangements for meeting of Commission pending formal appointment.

HARCOURT.

From the Under-Secretary of State for External Affairs to Sir George Gibbons.

OTTAWA, September 23, 1911.

DEAR SIR GEORGE GIBBONS,—I enclose you informally a copy of a telegram which has just been received from the Secretary of State for the Colonies on the subject of the appointment of the Boundary Water Commissioners which I telegraphed you, and which I am referring officially to the Department of Public Works to-day.

Yours very truly,

JOSEPH POPE.

SIR GEORGE GIBBONS, Kt.,
London, Ontario.

From the Under-Secretary of State for External Affairs to Sir George Gibbons.

(Telegram.)

OTTAWA, September 23, 1911.

SIR GEORGE GIBBONS,
London, Ontario.

The following telegram received from Secretary of State for Colonies. Telegram begins:

‘Your telegram of 6th September. Names of Commissioners are being submitted to His Majesty and Ambassador has been authorized to proceed informally with arrangements for meeting of Commission pending formal appointment.’ Telegram ends.

JOSEPH POPE,

Under-Secretary of State for External Affairs.

From the Governor General to the Secretary of State for the Colonies.

(Telegram.)

OTTAWA, October 3, 1911.

Your telegram of 21st September, should be glad to know whether appointment of commissioners under Boundary Waters Treaty has been formally approved by His Majesty.

GREY.

2 GEORGE V., A. 1912

From the Governor General to the Secretary of State for the Colonies.

(Telegram.)

OTTAWA, October 11, 1911.

With reference to my telegram of 3rd October, Boundary Waters Treaty.

New Cabinet earnestly hope that no appointment will be made by His Majesty's Government of three Commissioners on the part of the United Kingdom pursuant to section 7 of the Treaty of January 11, 1909, relating to Boundary Waters and questions arising along boundary between Canada and United States until they have an opportunity of reconsidering the appointments recommended by Order in Council of August 11 last.

GREY.

From the Secretary of State for the Colonies to the Governor General.

(Telegram.)

LONDON, October 14, 1911.

Telegram from Grey 11th October appointments will not be made until your Government have considered position and communicated further with us.

HARCOURT.

CERTIFIED *copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General, on October 23, 1911.*

The Committee of the Privy Council, on the recommendation of the Minister of Public Works, advise that Thomas Chase Casgrain, of the City of Montreal, one of His Majesty's Counsel learned in the law, Henry A. Powell, of the City of St. John, one of His Majesty's Counsel learned in the law, and Charles A. Magrath, of the City of Ottawa, Topographical Surveyor, be appointed by His Majesty, Commissioners on the part of the United Kingdom pursuant to section 7 of the treaty relating to Boundary Waters and questions arising along the Boundary between Canada and the United States signed at Washington on the 11th of January, 1909, and that each of the said Commissioners shall receive as compensation for his services the sum of seven thousand five hundred dollars per annum.

The committee further advise that Your Royal Highness may be pleased to request the Right Honourable the Principal Secretary of State for the Colonies to advise His Majesty's Government that the said three persons are recommended for appointment as such commissioners by Your Royal Highness in Council pursuant to the terms of said article 7.

All which is respectfully submitted for approval.

RODOLPHE BOUDREAU,

*Clerk of the Privy Council.**From the Governor General to the Secretary of State for the Colonies.*

(Telegram.)

OTTAWA, October 23, 1911.

Lord Grey's telegram 11th October—appointment of commissioners under Boundary Waters Treaty—Following recommended by Order in Council dated October

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23: Thomas Chase Casgrain, K.C., of Montreal; Henry A. Powell, K.C., of St. John, New Brunswick; Charles A. Magrath, of Ottawa, Topographical Surveyor. Despatch follows. Copy sent to His Majesty's Ambassador at Washington.

ARTHUR.

P.C. 2471.

CERTIFIED copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 23rd of October, 1911.

The Committee of the Privy Council, on the recommendation of the Minister of Public Works, advise that the Order in Council of the 11th August, 1911, with reference to the appointment of Commissioners under the provisions of section 7 of the treaty relating to Boundary waters and questions arising along the boundary between Canada and the United States, signed at Washington on the 11th January, 1909, be cancelled.

RODOLPHE BOUDREAU,
Clerk of the Privy Council.

From the Secretary of State for the Colonies to the Governor General.

(Telegram.)

LONDON, October 24, 1911.

Your telegram 23rd October. Please telegraph full Christian names of Powell and Magrath.

HARCOURT.

From the Governor General to the Secretary of State for the Colonies.

GOVERNMENT HOUSE,
OTTAWA, October 24, 1911.

SIR,—With reference to my telegram of the 23rd instant, on the subject of the recommendation of Messrs. Thomas Chase Casgrain, K.C., Henry A. Powell, K.C., and Charles A. Magrath, Topographical Surveyor, for appointment as Commissioners on the part of the United Kingdom, under section 7 of the treaty relating to boundary waters signed at Washington in 1909, I have the honour to transmit herewith, for your information, copies of an approved Minute of Council, upon 23rd October. which this telegram was based, together with copies of an approved Minute cancelling the Order in Council of 11th August last on the same subject.

[The Order in Council of the 11th August was withdrawn for the reason that the new government desired the appointment of Commissioners who will be in sympathy with their policy respecting matters which will come before the Commissioners for consideration and determination.]

I am sending a copy of this despatch to Mr. Bryce, for his information.

I have, &c.,

ARTHUR.

The Right Honourable
LEWIS V. HARCOURT, M.P.,
Secretary of State for the Colonies.

2 GEORGE V., A. 1912

From the Governor General to His Majesty's Ambassador at Washington.

(105)

Canada.

GOVERNMENT HOUSE,

OTTAWA, October 24, 1911.

SIR,—I have the honour to enclose, for Your Excellency's information, copies of a despatch which I have addressed to the Right Honourable the Secretary of State for the Colonies, on the subject of the appointment of Commissioners under the boundary waters treaty.

I have, &c.,

(Sgd.) ARTHUR.

His Excellency

The Right Honourable

JAMES BRYCE, P.C., &c., &c., &c.

From the Governor General to the Secretary of State for the Colonies.

('Telegram.)

OTTAWA, October 24, 1911.

Referring to your telegram 24th October. Full Christian names Henry Absalom Powell and Charles Alexander Magrath.

ARTHUR.

From the Secretary of State for the Colonies to the Governor General.

(No. 931.)

Canada.

DOWNING STREET, November 18, 1911.

SIR,—With reference to previous correspondence I have the honour to transmit to Your Royal Highness for communication to your Ministers the accompanying Commission appointing Messrs. Casgrain, Powell and Magrath to be the British Commissioners under article 7 of the Boundary Waters Treaty of January 1909 with the United States of America.

2. His Majesty's Ambassador at Washington is being asked to inform the United States Government of the appointments.

I have the honour to be, sir,

Your Highness's most obedient, humble servant,

(Sd.) HARCOURT.

Governor General, His Royal Highness,

THE DUKE OF CONNAUGHT AND STRATHEARN, K.G., K.T., K.P.,

&c.,

&c.,

&c.

From the Governor General to the Secretary of State for the Colonies.

('Telegram.)

OTTAWA, November 18, 1911.

Referring to my telegram 23rd October, appointment of Commissioners under Boundary Waters Treaty. Canadian Government most anxious for reply.

ARTHUR.

SESSIONAL PAPER No. 119

From the Secretary of State for the Colonies to the Governor General.

(Telegram.)

LONDON, November 20, 1911.

Referring to your telegram of 18th November, commission signed went to you by Saturday's mail.

HARCOURT.

From the Under-Secretary of State for External Affairs to the Deputy-Minister of Public Works.

OTTAWA, November 27, 1911.

SIR,—I have the honour to inform you that a commission has been received from His Majesty the King appointing Messrs. T. C. Casgrain, K.C., H. A. Powell, K.C., and C. A. Magrath, Esq., to be His Majesty's Commissioners under Article VII of the treaty dated 11th January, 1909, relating to the Boundary Waters between Canada and the United States.

By the Prime Minister's instructions, I have sent this commission to be recorded in the office of the Registrar General, after which I am to forward it to Mr. Casgrain.

I have, &c.,

JOSEPH POPE,

Under-Secretary of State for External Affairs.

The DEPUTY MINISTER OF PUBLIC WORKS,
Ottawa.

From the Under-Secretary of State for External Affairs to H. A. Powell, Esq., K.C.

OTTAWA, November 27, 1911.

SIR,—I have the honour to inform you that His Royal Highness the Governor General has received a despatch from the Secretary of State for the Colonies, dated 18th instant, transmitting a commission signed by His Majesty the King, appointing yourself Messrs. T. Chase Casgrain and C. A. Magrath, British Commissioners under Article VII of the Boundary Waters Treaty with the United States of America, signed at Washington on the 11th January, 1909.

I have sent this commission to the office of the Registrar General to be recorded. On its return I will forward the original to Mr. Casgrain and a copy to yourself and Mr. Magrath.

I will also furnish you—I hope in a few days—with a set of the Confidential Prints of this department containing the history of the negotiations which led up to the Treaty of the 11th January, 1909, in so far as these negotiations are on record here. These prints are of a highly confidential character, and should be kept under lock and key. In the meantime I send you for your convenience, a copy of the Treaty and also copy of the Act of the Parliament of Canada, 1-2 George V, Cap. 25, confirming the same.

His Majesty's Ambassador at Washington has been asked by the Secretary of State for Foreign Affairs to inform the Government of the United States of these appointments.

I have, &c.,

JOSEPH POPE,

Under-Secretary of State for External Affairs.

H. A. POWELL, Esq., K.C.,
St. John, New Brunswick.

2 GEORGE V., A. 1912

*From the Under-Secretary of State for External Affairs to T. Chase Casgrain,
Esq., K.C.*

OTTAWA, November 27, 1911.

SIR,—I have the honour to inform you that His Royal Highness the Governor General has received a despatch from the Secretary of State for the Colonies, dated 18th instant, transmitting a commission signed by His Majesty the King, appointing yourself and Messrs H. A. Powell and C. A. Magrath British Commissioners under Article VII of the Boundary Waters Treaty with the United States of America, signed at Washington on the 11th January, 1909.

I have sent this commission to the office of the Registrar General to be recorded. On its return I will forward the original to you and a copy to each of your colleagues.

I will also furnish you, I hope, in a few days, with a set of the confidential prints of this department containing the history of the negotiations which led up to the Treaty of the 11th January, 1909, in so far as these negotiations are on record here. These prints are of a highly confidential character, and should be kept under lock and key. In the meantime, I send you, for your convenience, a copy of the Treaty and also copy of the Act of the Parliament of Canada, 1-2 George V., Cap. 25, confirming the same.

His Majesty's Ambassador at Washington has been asked by the Secretary of State for Foreign Affairs to inform the Government of the United States of these appointments.

I have, &c.,

JOSEPH POPE,

Under-Secretary of State for External Affairs.

T. CHASE CASGRAIN, Esq., K.C.,
Canada Life Building,
Montreal.

From the Under-Secretary of State for External Affairs to C. A. Magrath, Esquire.

OTTAWA, November 27, 1911.

SIR,—I have the honour to inform you that His Royal Highness the Governor General has received a despatch from the Secretary of State for the Colonies, dated 18th instant, transmitting a commission signed by His Majesty the King, appointing yourself and Messrs. T. Chase Casgrain and H. A. Powell, British Commissioners under Article VII of the Boundary Waters Treaty with the United States of America, signed at Washington on the 11th January, 1909.

I have sent this commission to the office of the Registrar General to be recorded. On its return I will forward the original to Mr. Casgrain and a copy to yourself and Mr. Powell.

I will also furnish you—I hope, in a few days—with a set of the confidential prints of this department, containing the history of the negotiations which led up to the Treaty of the 11th January, 1909 in so far as these negotiations are on record here. These prints are of a highly confidential character, and should be kept under lock and key. In the meantime I send you for your convenience, a copy of the Treaty and also a copy of the Act of the Parliament of Canada, 1-2 George V., Cap. 25, confirming the same.

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His Majesty's Ambassador at Washington has been asked by the Secretary of State for Foreign Affairs to inform the Government of the United States of these appointments.

I have, &c.,

JOSEPH POPE,

Under-Secretary of State for External Affairs

C. A. MAGRATH, Esq.,
315 Daly Avenue,
Ottawa.

P.C. 1850.

CERTIFIED copy of a Report of the Committee of the Privy Council, approved by His Excellency the Governor General on the 11th August, 1911.

The Committee of the Privy Council, on the recommendation of the Minister of Public Works, advise that Sir George Gibbons, of the city of London, Province of Ontario, Alexander P. Barnhill, of the city of St. John, Province of New Brunswick, and Aimé Geoffrion, of the city of Montreal, be appointed by His Majesty, Commissioners on the part of the United Kingdom pursuant to section 7 of the Treaty relating to Boundary Waters and questions arising along the boundary between Canada and the United States, signed at Washington on the 11th January, 1909, and that each of the said Commissioners shall receive as compensation for his services the sum of seven thousand five hundred dollars per annum.

The Committee further advise that Your Excellency may be pleased to request the Right Honourable the Principal Secretary of State for the Colonies to advise His Majesty's Government that the said three persons are recommended for appointment as such Commissioners by Your Excellency in Council pursuant to the terms of said Article 7.

All which is respectfully submitted for approval.

RODOLPHE BOUDREAU,

Clerk of the Privy Council.

(P.C. 2471.)

CERTIFIED copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 23rd October, 1911.

The Committee of the Privy Council, on the recommendation of the Minister of Public Works, advise that the Order in Council of the 11th August, 1911, with reference to the appointment of commissioners under provisions of section 7 of the Treaty relating to Boundary Waters and questions arising along the boundary between Canada and the United States, signed at Washington on the 11th January, 1909, be cancelled.

RODOLPHE BOUDREAU,

Clerk of the Privy Council.

2 GEORGE V., A. 1912

(P.C. 2472.)

CERTIFIED *copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 23rd October, 1911.*

The Committee of the Privy Council, on the recommendation of the Minister of Public Works, advise that Thomas Chase Casgrain, of the City of Montreal, one of His Majesty's Counsel learned in the law; Henry A. Powell, of the City of St. John, one of His Majesty's Counsel learned in the law; and Charles A. Magrath, of the City of Ottawa, Topographical Surveyor, be appointed by His Majesty Commissioners on the part of the United Kingdom pursuant to section 7 of the Treaty relating to Boundary Waters and questions arising along the boundary between Canada and the United States, signed at Washington, on the 11th January, 1909, and that each of the said Commissioners shall receive as compensation for his services the sum of seven thousand five hundred dollars per annum.

The Committee further advise that Your Royal Highness may be pleased to request the Right Honourable the Principal Secretary of State for the Colonies to advise His Majesty's Government that the said three persons are recommended for appointment as such Commissioners by Your Royal Highness in Council pursuant to the terms of said article 7.

All which is respectfully submitted for approval.

RODOLPHE BOUDREAU,

Clerk of the Privy Council.

(Copy.)

BRITISH EMBASSY,

WASHINGTON, April 21, 1911.

MY LORD,—I have the honour to transmit herewith, that clause of the appropriation Act passed at the termination of the 1st Congress which provides the legislation required by the last paragraph of Article XII of the Treaty on Boundary Waters and boundary questions.

It will be observed that the powers conferred on the Commission by this legislation are those specified in the article above mentioned. There was at one time some question as to whether legislation would not be required in order to give Canadian complainants access to the United States courts in injuries inflicted on them in Canadian territory as provided in paragraph 1 of Article 11. But after taking legal opinion it was decided that the treaty was sufficient in itself to effect this.

The United States Government are, I understand, anxious to arrange for an early convention of the Commission as there are several urgent and important questions awaiting reference to it. The appointment of the United States Commissioners was recently reported to Your Excellency.

I have the honour to be, my Lord,

Your most obedient, humble servant,

His Excellency,

(Sgd.)

JAMES BRYCE.

The Right Honourable,

The EARL GREY, G.C.M.G.,

&c.,

&c.

SESSIONAL PAPER No. 119

(Public—No. 525.)

H.R. 32909.

AN ACT MAKING APPROPRIATIONS FOR SUNDRY CIVIL EXPENSES
OF THE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE
THIRTIETH, NINETEEN HUNDRED AND TWELVE, AND FOR OTHER
PURPOSES.

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled,—That the following sums be, and the same are hereby appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and twelve, namely:—

For salaries and expenses, including salaries of Commissioners, and salaries of clerks appointed by the Commissioners on the part of the United States with the approval solely of the Secretary of State, including rental and furnishing, after the passage of this Act, of offices at Washington, District of Columbia, and necessary travelling expenses, and for the one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and other purposes, signed January eleventh, nineteen hundred and nine, seventy-five thousand dollars together with the balance unexpended July first, nineteen hundred and eleven, of the appropriation made for said Joint Commission for the fiscal year nineteen hundred and eleven—*Provided* That the salaries of the members of said Commission on the part of the United States shall be fixed by the President, and the amount appropriated for the payment of salaries and other expenses hereunder shall be disbursed under the direction of the Secretary of State; that said Commission or any member thereof shall have power to administer oaths and to take evidence on oath whenever deemed necessary in any proceeding or inquiry or matter within its jurisdiction under said Treaty, and said Commission shall be authorized to compel the attendance of witnesses in any proceedings before it or the production of books and papers when necessary by application to the circuit court of the United States for the circuit within which such session is held, which court is hereby empowered and directed to make all orders and issue all processes necessary and appropriate for that purpose.

P.C. 1850.

CERTIFIED copy of a Report of the Committee of the Privy Council, approved by His Excellency the Governor General on the 11th August, 1911.

The Committee of the Privy Council, on the recommendation of the Minister of Public Works, advise that Sir George Gibbons, of the city of London, Province of Ontario, Alexander P. Barnhill, of the city of St. John, Province of New Brunswick, and Aimé Geoffrion, of Montreal, Province of Quebec, be appointed by His Majesty, Commissioners on the part of the United Kingdom pursuant to section 7 of the Treaty relating to Boundary Waters and questions arising along the boundary between Canada and the United States, signed at Washington on the 11th January, 1909, and that each of the said Commissioners shall receive as compensation for his services the sum of seven thousand five hundred dollars per annum.

2 GEORGE V., A. 1912

The Committee further advise that Your Excellency may be pleased to request the Right Honourable the Principal Secretary of State for the Colonies to advise His Majesty's Government that the said three persons are recommended for appointment as such commissioners by Your Excellency in Council pursuant to the terms of said Article 7.

All which is respectfully submitted for approval.

(Sgd.) RUDOLPHE BOUDREAU,

Clerk of the Privy Council.

The Honourable

The Minister of Public Works.

(Copy.)

August 17, 1911.

AIMÉ GEOFFRION, Esq.,

Montreal, P.Q.

SIR,—I am directed to advise you of your appointment as a Commissioner on the part of the United Kingdom, pursuant to section 7 of the treaty relating to boundary waters and questions arising along the boundary between Canada and the United States, signed at Washington, on the 11th January, 1909, and to state that the compensation to be paid for your services as such has been fixed by Council at \$7,500 per annum.

I enclose herewith a copy of the order in council that has been passed in this connection.

I have the honour to be, sir,

Your obedient servant,

(Sgd.) R. C. DESROCHERS,

Secretary.

(Copy.)

AUGUST 17, 1911.

ALEXANDER BARNHILL, Esq.,

St. John, N.B.

SIR,—I am directed to advise you of your appointment as a Commissioner on the part of the United Kingdom, pursuant to section 7 of the Treaty relating to Boundary Waters and questions arising along the boundary between Canada and the United States, signed at Washington, on the 11th January, 1909, and to state that the compensation to be paid for your services as such has been fixed by Council at \$7,500 per annum.

I inclose herewith a copy of the Order in Council that has been passed in this connection.

I have the honour to be, sir,

Your obedient servant,

(Sgd.) R. C. DESROCHERS,

Secretary.

SESSIONAL PAPER No. 119

(2756)

(Copy.)

AUGUST 17, 1911.

Sir GEORGE GIBBONS,
London, Ont.

SIR,—I am directed to advise you of your appointment as a commissioner on the part of the United Kingdom, pursuant to section 7 of the Treaty relating to Boundary Waters and questions arising along the boundary between Canada and the United States, signed at Washington, on the 11th January, 1909, and to state that the compensation to be paid for your services as such has been fixed by council at \$7,500 per annum.

I inclose herewith a copy of the Order in Council that has been passed in this connection.

I have the honour to be, sir,
Your obedient servant,

(Sgd.) R. C. DESROCHERS,

Secretary.

MONTREAL, August 18, 1911.

R. C. DESROCHERS, Esq., Secretary,
Department of Public Works,
Ottawa.

SIR,—I beg to acknowledge yours of the 17th informing me of my appointment as a member of the International Waterways Commission.

If I have any particularity to fulfil before acting, please be good enough to let me know.

Yours truly,

AIME GEOFFRION.

LONDON, ONT., August 18, 1911.

R. C. DESROCHERS, Esq., Secretary,
Department of Public Works,
Ottawa, Ont.

DEAR SIR,—I beg to acknowledge the receipt of your letter of the 17th instant, addressed to Sir George Gibbons, in reference to his appointment as a Commissioner, which I am acknowledging on his behalf owing to his absence in England. Might I ask whether this appointment will interfere with Sir George continuing his private practice of law in the future?

I have the honour to be, sir,
Your obedient servant,

(Sgd.) GEO. S. GIBBONS.

2 GEORGE V., A. 1912

ST. JOHN, N.B., August 19, 1911.

DEAR SIR,—I beg to acknowledge receipt of your favour of the 17th instant, informing me that I have been appointed as a commissioner on the part of the United Kingdom pursuant to section 7 of the Treaty of the 11th January, 1909, together with a copy of the Order in Council therewith inclosed.

Yours very truly,

(Sgd.) A. P. BARNHILL.

R. C. DESROCHERS, Esq., Sec.,
Department of Public Works,
Ottawa.

OTTAWA, 5th September, 1911.

SIR,—I have the honour to enclose copy of a despatch to His Excellency from His Majesty's Ambassador at Washington, in regard to the date of meeting of the International Joint Commission under the Boundary Waters Treaty.

It would seem that Mr. Bryce has overlooked the fact that the Order in Council of the 11th August was only a recommendation by the Canadian Government of appointments which will be formally made by His Majesty the King as provided in Article 7 of the treaty.

I have the honour to be, sir,

Your obedient servant,

(Sgd.) W. H. WALKER,

Acting Under-Secretary of State for External Affairs.

The Deputy Minister of Public Works,
Ottawa.

BRITISH EMBASSY,

SEAL HARBOUR, MAINE,

August 26, 1911.

MY LORD,—I had the honour to communicate to the Secretary of State the names of the gentlemen appointed by the Canadian Government as Commissioners in accordance with the provisions of Article VII of the Boundary Waters Treaty of January 11, 1909.

The Acting Secretary of State in acknowledging this communication inquires when it will be convenient for the Canadian Commissioners to meet the Commissioners of the United States.

From communications received from time to time in Washington I know that the United States Government are desirous that the meeting should take place as soon as convenient, as there are several questions of importance to be submitted to the Commission as soon as possible.

I have the honour to be, my Lord,

Your Excellency's most obedient humble servant,

(Sgd.) JAMES BRYCE.

His Excellency

The Right Honourable

The EARL GREY, G.C.M.G., &c., &c., &c.,

The Governor General.

SESSIONAL PAPER No. 119

5th September, 1911.

SIR,—I have the honour to acknowledge receipt of your favour of the 5th inst. enclosing copy of despatch from His Majesty's Ambassador at Washington in regard to the date of meeting of the International Joint Commission to the Boundary Waters Treaty. I note your surmise in the second paragraph of your letter, but assume there is nothing that I can do in the matter. I presume the attention of Mr. Bryce has been called to the necessity of His Majesty the King formally ratifying the appointment of these Commissioners.

Yours very truly,
(Sgd.) J. B. HUNTER,
Deputy Minister.

The Under-Secretary of State for External Affairs.
Ottawa.

OTTAWA, 9th September, 1911.

DEAR SIR,—In reply to your letter of the 5th instant Mr. Bryce's attention has been called to the fact that the Commissioners' appointment, under Article 7 of the Boundary Waters Treaty, must be made by His Majesty the King. I should be glad, however, to learn from you when it will be convenient for the Canadian Commissioners to meet the Commissioners of the United States.

Yours very truly,
(Sgd.) JOSEPH POPE,
Under-Secretary of State for External Affairs.

J. B. HUNTER, Esq., B.A.,
Deputy Minister of Public Works,
Ottawa.

12th September, 1911.

DEAR SIR GEORGE,—I have not heard whether you are yet back from the old country, but I am sending this letter on to London on the chance of your having returned.

Enclosed you will find copy of a communication from the Under Secretary of State for External Affairs desiring to know when it would be convenient for the Canadian Commissioners to meet the Commissioners of the United States. Of course, as you are aware, the Order in Council of the 11th of August was only a recommendation by the Canadian Government of appointments, which will be formally made by His Majesty the King, as provided in Article 7 of the treaty. Until that is done, I presume no formal official conference between the two sections of the International Joint Commission could be held, but, doubtless, in any event, before such meeting takes place, you will desire to have the Canadian Commissioners meet and organize the Canadian section.

Will you kindly advise me, at your convenience, what steps are being taken along these lines?

Yours very truly,
(Sgd.) J. B. HUNTER,
Deputy Minister.

Encl.
Sir GEORGE GIBBONS,
London, Ont.

2 GEORGE V., A. 1912

INTERNATIONAL WATERWAYS COMMISSION,
CANADIAN SECTION,
LONDON, ONT., Sept 13th, 1911.

DEAR SIR,—I have been waiting for the official confirmation which seems to be necessary before arranging for a meeting of the Commission.

I am afraid there would not be much object in having a meeting of the Canadian section for the mere purpose of organization. My idea was that just as soon as the commission was issued, we would arrange for a meeting of the Canadian section immediately prior to the meeting of the commission as a whole, which will have to be held in Washington. I wish you would reply to Mr. Pope and say that the Canadian section will be ready to meet the American section just as soon as we are authorized to do so. If Mr. Pope thinks that we should not wait for the official appointment, I will be ready for a meeting at any time on a few days' notice.

Yours truly,

(Sgd.) GEO. C. GIBBONS.

J. B. HUNTER, Esq.,
Deputy Minister of Public Works,
Ottawa, Ont.

(2756-1)

September 18, 1911.

DEAR SIR,—Referring to your letter of the 9th instant, I beg to say that I have written Sir George Gibbons in regard to arranging for a meeting of the Boundary Waters Commission, and he replies that there would not be much object in having a meeting of the Canadian section for the mere purpose of organization, and that his idea is that just as soon as the commission is issued, arrangements would be made for a meeting of the Canadian section immediately prior to the meeting of the commission as a whole, which will have to be held in Washington. The Canadian section, Sir George states, will be ready to meet the American section just as soon as authorized to do so.

Please let me know your opinion as to whether the Canadian section of the commission should wait for the official appointment before meeting the American section.

Yours very truly,

(Sgd.) J. B. HUNTER,
Deputy Minister.

JOSEPH POPE, Esq.,
Under Secretary of State for External Affairs,
Ottawa.

From the Secretary of State for the Colonies to the Governor General.

(Telegram.)

LONDON, September 21, 1911.

Your telegram of September 6. Names of Commissioners are being submitted to His Majesty and Ambassador has been authorized to proceed informally with arrangements for meeting of commission pending formal appointment.

(Sgd.) HARCOURT.

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(Telegram.)

DEPARTMENT OF PUBLIC WORKS,

OTTAWA, September 29, 1911.

Minister suggests advisable that you notify other Commissioners, Mr. Barnhill and Mr. Geoffrion, to meet you Ottawa as soon as possible to organize commission preparatory to meeting in Washington. Kindly wire me whether, after you communicate with other commissioners, you can all arrange to be Ottawa Monday next.

(Sgd.)

J. B. HUNTER,

Deputy Minister.

To Sir GEORGE GIBBONS, K.C.,
London, Ont.

(P.C. 2471.)

CERTIFIED copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 23rd October, 1911.

The Committee of the Privy Council, on the recommendation of the Minister of Public Works, advise that the Order in Council of the 11th August, 1911, with reference to the appointment of Commissioners under the provisions of section 7 of the Treaty relating to Boundary Waters and questions arising along the boundary between Canada and the United States, signed at Washington on the 11th January, 1909, be cancelled.

(Sgd.)

RUDOLPHE BOUDREAU,

Clerk of the Privy Council.

The Honourable,
The Minister of Public Works.

P.C. 2472.

CERTIFIED copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 23rd October, 1911.

The Committee of the Privy Council, on the recommendation of the Minister of Public Works, advise that Thomas Chase Casgrain of the City of Montreal one of His Majesty's Counsel learned in the law, Henry A. Powell, of the city of St. John, one of His Majesty's Counsel learned in the law and Charles A. Magrath, of the city of Ottawa, topographical surveyor, be appointed by His Majesty, Commissioners on the part of the United Kingdom pursuant to section 7 of the Treaty relating to Boundary Waters and questions arising along the boundary between Canada and the United States signed at Washington on the 11th January, 1909, and that each of the said Commissioners shall receive as compensation for his services the sum of seven thousand five hundred dollars per annum.

The committee further advise that Your Royal Highness may be pleased to request the Right Honourable the Principal Secretary of State for the Colonies to advise His Majesty's Government that the said three persons are recommended for appointment as such Commissioners by Your Royal Highness in Council pursuant to the terms of said Article 7.

All which is respectfully submitted for approval.

(Sgd.)

RUDOLPHE BOUDREAU,

Clerk of the Privy Council.

The Honourable
The Minister of Public Works.

2 GEORGE V., A. 1912

November 28, 1911.

SIR,—Referring to my letter of the 17th August last advising you of your appointment as one of three Commissioners on the part of the United Kingdom, pursuant to section 7, of the Treaty relating to Boundary Waters and questions arising along the boundary between Canada and the United States, signed at Washington, on the 11th January, 1909, and enclosing a copy of the Order in Council which was passed on the 11th of that month in this respect, I am directed to inform you that a subsequent Order in Council was passed on the 23rd October last cancelling the previous order above mentioned. I am enclosing a copy of this latter Order in Council.

I am directed further to advise you that the Department has been notified by the Under Secretary of State for External Affairs that a commission has been received from His Majesty, the King, appointing Messrs. T. C. Casgrain, K.C., and H. A. Powell, K.C., and C. A. Magrath, Esq., to be His Majesty's Commissioners under Article VII of the said Treaty dated 11th January, 1909, above referred to.

I have the honour to be, sir,

Your obedient servant,

(Sgd.) R. C. DESROCHERS,

Secretary.

Sir GEORGE GIBBONS, K.C.,
London, Ont.

November 28, 1911.

SIR,—Referring to my letter of the 17th August last advising you of your appointment as one of three Commissioners on the part of the United Kingdom, pursuant to section 7, of the Treaty relating to Boundary Waters and questions arising along the boundary between Canada and the United States signed at Washington, on the 11th January, 1909, and enclosing a copy of the Order in Council which was passed on the 11th of that month in this respect, I am directed to inform you that a subsequent Order in Council was passed on the 23rd October last cancelling the previous order above mentioned. I am enclosing a copy of this latter Order in Council.

I am directed further to advise you that the Department has been notified by the Under Secretary of State for External Affairs that a commission has been received from His Majesty, the King, appointing Messrs. T. C. Casgrain, K.C., H. A. Powell, K.C., and C. A. Magrath, Esq., to be His Majesty's Commissioners under Article VII of the said Treaty dated 11th January, 1909, above referred to.

I have the honour to be, sir,

Your obedient servant,

(Sgd.) R. C. DESROCHERS,

Secretary.

AIMÉ GEOFFRION, Esq., K.C.,
Montreal, P.Q.

November 28, 1911.

SIR,—Referring to my letter of the 17th August last advising you of your appointment as one of three Commissioners on the part of the United Kingdom, pursuant to section 7 of the Treaty relating to Boundary Waters and questions arising along the boundary between Canada and the United States, signed at Washington, on the 11th January, 1909, and enclosing a copy of the Order in Council which was passed on the 11th of that month in this respect, I am directed to inform you that a subsequent

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Order in Council was passed on the 23rd October last cancelling the previous order above mentioned. I am enclosing a copy of this latter Order in Council.

I am directed further to advise you that the Department has been notified by the Under-Secretary of State for External Affairs that a commission has been received from His Majesty the King, appointing Messrs, T. C. Casgrain, K.C., H. A. Powell, K.C., and C. A. Magrath, Esq. to be His Majesty's Commissioners under Article VII of the said treaty dated 11th January, 1909, above referred to.

I have the honour to be, sir,

Your obedient servant,

(Sgd.) R. C. DESROCHERS,

Secretary.

A. P. BARNHILL, Esq., K.C.,
39 Princess St., St. John, N.B.

